

## UNITED STATES DISTRICT COURT

District of Delaware

IN RE MBNA CORPORATION  
DERIVATIVE AND CLASS  
LITIGATION

## SUMMONS IN A CIVIL CASE

This Document Relates To:

CASE NUMBER: Lead Case No. 1:05-cv-00327-GMS

ALL ACTIONS.

TO: (Name and address of Defendant)  
Bank of America Corporation  
c/o Corporation Trust Company  
1209 Orange Street  
Wilmington, DE 19801

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Robert R. Davis  
One Rodney Square  
P.O. Box 1035  
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

NOV 28 2005

CLERK

DATE

Evelle Water  
(By) DEPUTY CLERK

## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <b>November 29, 2005</b>	
NAME OF SERVER (PRINT) <b>Danny P. Randolph, Jr.</b>	TITLE <b>Process Server</b>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____		
<input checked="" type="checkbox"/> Other (specify): <b>Served: Bank of America Corporation c/o Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801. Copies thereof were accepted by Scott LaScala on 11/29/05 at 10:00 a.m.</b>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>11-30-05</u> <u>Danny P. Randolph, Jr.</u>  <small>Date</small> <small>Signature of Server</small></p> <p><b>Chimicles &amp; Tikellis LLP</b>  <b>One Rodney Square</b>  <b>Wilmington, DE 19801</b>  <small>Address of Server</small></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.